

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

**MILTON A. NELSON,**  
Petitioner,

v.

**UNITED STATES OF AMERICA,**  
Respondent.

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Civil No. 03-2286 (PG)  
Crim. No. 97-245 (2) (PG)

**JUDGMENT**

Petitioner Milton Nelson's habeas Petition (D.E. #2) is DENIED, and his Motion to Vacate, Set Aside, or Correct Sentence under 28 U.S.C. §2255 (D.E. # 2) is DISMISSED WITH PREJUDICE. The Petitioner may not appeal this Order unless "a circuit justice or judge issues a certificate of appealability." 28 U.S.C. § 2253 (c)(1). A certificate will be granted "only if the applicant has made a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253 (c)(2). Thus, the Court declines to issue a certificate of appeal.

**IT IS SO ORDERED.**

In San Juan, Puerto Rico, this 7<sup>th</sup> of August, 2008.

S/JUAN M. PÉREZ-GIMÉNEZ  
JUAN M. PÉREZ-GIMÉNEZ  
Senior United States District Judge